

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONNY EARP,  
Plaintiff,  
v.  
TOWNSEND,  
Defendant.

Case No. [21-cv-06931-WHO](#) (PR)

**ORDER OF DISMISSAL**


Plaintiff Earp filed an incomplete complaint — it consists of a single page with “Statement of Claim” printed at the top under which appears only “See Attached.” (Dkt. No. 1.) Nothing was. Because this is not a proper complaint, the Clerk sent him a notice to file a full complaint on the Court’s form. There has been no response to the Clerk’s Notice. Accordingly, this federal civil rights action is DISMISSED (without prejudice) for failing to comply with the Clerk’s Notice and for failing to prosecute, *see* Federal Rule of Civil Procedure 41(b).

Because this dismissal is without prejudice, plaintiff may move to reopen. Any such motion must have the words MOTION TO REOPEN on the first page and the motion must be accompanied by a proper complaint on this Court’s form.

The Clerk shall enter judgment in favor of defendant and close the file.

**IT IS SO ORDERED.**

**Dated:** November 2, 2021

  
WILLIAM H. ORRICK  
United States District Judge